

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for June 8, 2005 PLANNING COMMISSION MEETING

This is a combined staff report for related items. This report contains a single background and analysis section for all items. However, there are separate conditions provided for the use permit application.

PROJECT #: Change of Zone #05041
Use Permit #130A

PROPOSAL: To change the zoning from O-3 Office Park to B-2 Planned Neighborhood Business to allow an 85-room, four-story hotel, with requests to adjust rear yard setbacks and maximum allowed height.

LOCATION: South 70th Street and Pioneers Blvd

LAND AREA: CZ#05041 - 1.73 acres more or less.
UP#130A - 20.4 acres more or less.

CONCLUSION: The O-3 use permit (UP#144) limited development to office uses. The proposed hotel represents no significant additional impact upon the neighborhood compared to office uses, and is a compatible use on this site. The change of zone request is appropriate provided the associated use permit amendment is also approved.

RECOMMENDATION:

CZ#05041

Approval

UP#130A

Conditional Approval

Waivers: Adjust rear setback
Maximum height

Approval

Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: See attached legal descriptions.

EXISTING ZONING: O-3 Office Park

PROPOSED ZONING: B-2 Planned Neighborhood Business

EXISTING LAND USE: The B-2 is mostly developed, the O-3 is undeveloped.

SURROUNDING LAND USE AND ZONING:

North:	Undeveloped, Antelope Creek	O-3, R-3
South:	Commercial, Undeveloped	B-1, B-2, O-3
East:	Undeveloped, Antelope Creek	R-3
West:	Cemetery	B-1, R-1

HISTORY:

August 26, 2002 - Use Permit #144 was approved for 105,000 square feet of office floor area.

April 9, 2001 - Use Permit #130 was approved for 142,000 square feet of commercial/restaurant/retail space on the northeast corner of S. 70th & Pioneers Boulevard.

October 18, 2000 - CZ#3263 (to B-2) and Pioneer Woods Preliminary Plat #00016 were approved.

COMPREHENSIVE PLAN SPECIFICATIONS:

Page F25 - The Land Use Plan designates this site as commercial.

Page F40 - General Principles for All Commercial & Industrial Uses

Commercial and industrial districts in Lancaster County shall be...

- outside of... floodplain areas
- accessible by various modes of transportation

Page F44 - Guiding Principles for Commerce Centers

Commerce Centers shall be designed and constructed to meet the intent of the environmental resources section of this plan. These centers shall in themselves include green space and enhance green space separation, where possible, among communities and mixed use areas.

Strip commercial development is discouraged. Commerce Centers should not develop in a linear strip along a roadway nor be completely auto oriented.

Commercial locations should be easily accessible by all modes of transportation including pedestrian, bicycle, transit and automobiles. Centers should be especially accessible to pedestrians and bicycles with multiple safe and convenient access points.

Commerce Centers should have convenient access to the major roadway system and be supported by roads with adequate capacity.

Physical linkages (i.e., sidewalks, trails, roads) should be utilized to directly connect Commerce Centers with adjacent development, although undesirable traffic impacts on adjacent residential areas should be avoided or minimized.

Page F97, 98- Pedestrians

The sidewalk system should be complete and without gaps. The pedestrian network in shopping centers should be integrated with adjacent activities.

Pedestrians should be able to walk in a direct path to destinations like transit stops, schools, parks, and commercial and mixed-use activity centers.

Activity Corridors and Centers - Directness and safety for pedestrians going to, from, and within these corridors and centers should be stressed.

Page 102 - Bicycles and Trails

Existing Areas - Extend the bicycle and trails system into the new neighborhoods as the city grows. Connections should be made to schools, parks, and other activity areas.

Developing Areas - Encourage minimum bicycle and trails standards for private developments to provide bicycle and trails facilities connecting key destinations such as schools, parks, and activity centers.

Consider the location and alignment of trails in reviewing development applications. Request that the platform for trails be graded in conjunction with the associated development.

UTILITIES: All utilities are available to serve this area.

ANALYSIS:

1. This request is a change of zone from O-3 to B-2, and is associated with UP#130A for an 85-room hotel with requests to adjust the rear yard setback from 50' to 30', and to the maximum allowed height from 40 to 45'.
2. The Comprehensive designates commercial land uses in this area, and the proposed hotel is consistent with that designation.
3. There are two approved use permits in this area. UP#130 allows 142,000 square feet of floor over the B-2 portion of the site, and UP#144 allows 105,000 square feet of office space over the O-3 portion. This request expands the B-2 zoning and UP#130 and decreases the O-3 and UP#144.
4. The O-3 provides a buffer between the B-2 and the open space/residential to the east, and allows only office uses. The B-2 allows more intense uses than O-3, some of which may not be appropriate on this site. If approved, this request should be specifically limited to allow a hotel, and the land use table on Sheet 2 of 4 must be revised to show only 'Hotel or Office' on Lot 7.

5. The change of zone application is only appropriate if the use permit amendment is also approved. A note should be added to the plan stating that the Planning Director will not administratively approve changes to the land use table to allow other commercial uses on the hotel site. The Planning Director reserves the right to both refer all such requests to the Planning Commission for public hearings, and to initiate a change of zone request back to O-3 if construction on the hotel has not started within three years of approval.
6. Shared parking has been proposed for the hotel and adjacent office uses. Such agreements with a reduction for non-concurrent use are allowed by the Zoning Ordinance, but must be authorized by a written agreement between the city and the parties involved.
7. The area of UP#144 covering the O-3 will be reduced if these requests are approved. In that event, an application for an administrative amendment to UP#144 must also be submitted to revise that plan accordingly.
8. The city trail system extends along the east side of Antelope Creek, and UP#144 showed a connection to the sidewalk along Pioneers Blvd which eventually intersects with it. The sidewalk system needs to be shown, and must identify the locations for the connections from the hotel through the parking lots to sidewalks along the adjacent streets.
9. An adjustment to the allowed height from 40' to 45' is being requested, where the height limit in the B-2 is 40', and 45' for offices. This will allow the hotel on this site to be built as high as adjacent office uses and is appropriate.
10. An adjustment to the rear setback from 50' to 30', where it is 40' in the O-3 and 50' in B-2. However, all yard setbacks were adjusted to 0' with UP#144, as all lots are surrounded by a common outlot and back onto the Antelope Creek floodplain. This request is consistent with UP#144 and is appropriate.

CONDITIONS:

UP#130A

Site Specific:

1. After the applicant completes the following instructions and submits the documents and plans to the Planning Department and the plans are found to be acceptable, the application will be scheduled on the City Council's agenda:

- 1.1 Revise the site plan as follows:
 - 1.1.1 Revise the land use table showing the allowed use on Lot 7 as either Hotel or Office with updated floor area and parking calculations.
 - 1.1.2 Add General Note #47 which states "THE PLANNING DIRECTOR WILL NOT ADMINISTRATIVELY APPROVE CHANGES TO THE LAND USE TABLE TO ALLOW OTHER COMMERCIAL USES ON LOT 7. THE PLANNING DIRECTOR RESERVES THE RIGHT TO BOTH REFER ALL SUCH REQUESTS TO THE PLANNING COMMISSION FOR PUBLIC HEARINGS, AND TO INITIATE A CHANGE OF ZONE REQUEST BACK TO O-3 IF CONSTRUCTION ON THE HOTEL HAS NOT COMMENCED WITHIN THREE YEARS OF APPROVAL."
 - 1.1.3 Show the sidewalk system and identify the locations for the connections from the hotel through the parking lots to sidewalks along the adjacent streets.
- 1.2 Applicant must submit a concurrent parking agreement signed by all affected parties for approval by Public Works.
- 1.3 Applicant must submit an administrative amendment to revise UP#144.
2. This approval permits an expansion of Use Permit #130 to include Lot 7 for an 85-room, four-story hotel with adjustments to rear yard setback from 50' to 30' and to maximum height from 40' to 45'.

General:

3. Before receiving building permits:
 - 3.1 The permittee shall have submitted a five copies of a revised final plan and the plans are acceptable:
 - 3.2 The construction plans shall comply with the approved plans.
 - 3.3 Final Plats shall be approved by the City.

Standard:

4. The following conditions are applicable to all requests:

- 4.1 Before occupying the building all development and construction shall have been completed in compliance with the approved plans.
 - 4.2 All privately-owned improvements shall be permanently maintained by the owner or an appropriately established owners association approved by the City Attorney.
 - 4.3 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
 - 4.4 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
 - 4.5 The applicant shall sign and return the letter of acceptance to the City Clerk within 30 days following the approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filling fees therefor to be paid in advance by the applicant.
5. The site plan as approved with this resolution voids and supersedes all previously approved site plans, however all resolutions approving previous permits remain in force unless specifically amended by this resolution.

Prepared by:

Brian Will
Planner
May 23, 2005

**APPLICANT/
CONTACT:**

Don Day
Olsson Associates
1111 Lincoln Mall
Lincoln, NE 68508
402-474-6311

OWNER:

Pioneer Woods, LLC
300 North 44th Street Suite 100
Lincoln, NE 68301



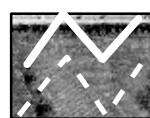
2002 aerial

Change of Zone #05041 S. 70th & Pioneers Blvd

Zoning:

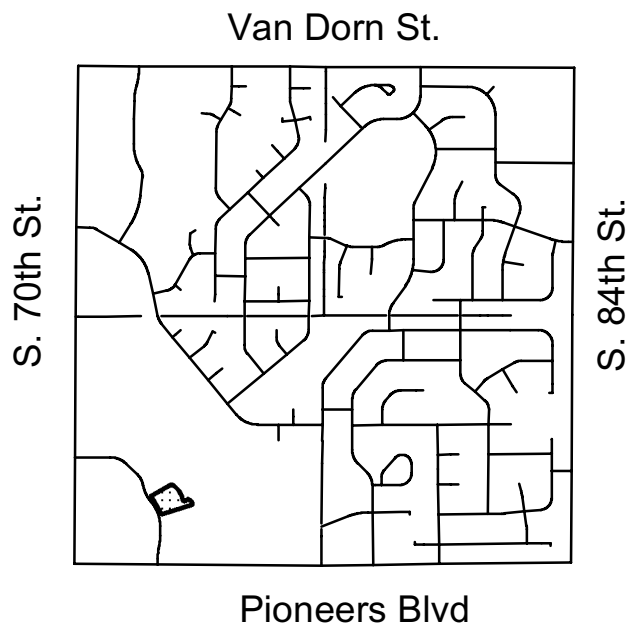
R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile
Sec. 3 T9N R7E



Zoning Jurisdiction Lines

City Limit Jurisdiction



**LEGAL DESCRIPTION
CHANGE OF ZONE**

A LEGAL DESCRIPTION FOR A TRACT OF LAND COMPOSED OF LOT 7, AND A PORTION OF OUTLOT "A", PIONEER WOODS 4TH ADDITION, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 9 NORTH, RANGE 7 EAST OF THE 6TH P.M., CITY OF LINCOLN, LANCASTER COUNTY, STATE OF NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID OUTLOT "A", THENCE EAST ALONG A NORTH LINE OF SAID OUTLOT "A" ON AN ASSUMED BEARING OF NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 188.32 FEET TO A NORTH CORNER OF SAID OUTLOT "A", THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST ALONG A WEST LINE OF SAID OUTLOT "A", A DISTANCE OF 3.95 FEET TO A NORTH CORNER OF SAID OUTLOT "A", THENCE NORTH 81 DEGREES 09 MINUTES 18 SECONDS EAST, A DISTANCE OF 183.52 FEET TO A POINT OF CURVATURE, THENCE ALONG A CURVE IN A CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 67 DEGREES 47 MINUTES 43 SECONDS, A RADIUS OF 154.60 FEET, A ARC LENGTH OF 182.93 FEET, A CHORD BEARING OF SOUTH 64 DEGREES 56 MINUTES 51 SECONDS EAST ALONG A NORTH LINE OF SAID OUTLOT "A", AND A CHORD DISTANCE OF 172.44 FEET TO A NORTH CORNER OF SAID OUTLOT "A", THENCE SOUTH 50 DEGREES 53 MINUTES 25 SECONDS EAST ALONG A NORTHEAST LINE OF SAID OUTLOT "A", A DISTANCE OF 232.75 FEET TO A NORTHEAST CORNER OF SAID OUTLOT "A", SAID POINT BEING A POINT OF CURVATURE OF A NON TANGENT CURVE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 99 DEGREES 30 MINUTES 41 SECONDS, A RADIUS OF 137.62 FEET, A ARC LENGTH OF 239.02 FEET, A CHORD BEARING OF SOUTH 41 DEGREES 28 MINUTES 53 SECONDS EAST ALONG A NORTHEAST LINE OF SAID OUTLOT "A", AND A CHORD DISTANCE OF 210.09 FEET TO **THE TRUE POINT OF BEGINNING**; THENCE CONTINUING EASTERLY ALONG SAID CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A RADIUS OF 137.62 FEET, ARC LENGTH OF 46.12 FEET, DELTA ANGLE OF 19 DEGREES 11 MINUTES 59 SECONDS, A CHORD BEARING OF NORTH 79 DEGREES 09 MINUTES 47 SECONDS EAST ALONG A NORTH LINE OF SAID OUTLOT "A", AND A CHORD LENGTH OF 45.90 FEET TO A NORTH CORNER OF SAID OUTLOT "A", SAID POINT BEING A POINT OF CURVATURE OF A NON TANGENT CURVE, THENCE ALONG A CURVE IN A CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 45 DEGREES 08 MINUTES 38 SECONDS, A RADIUS OF 184.20 FEET, A ARC LENGTH OF 145.13 FEET, A CHORD BEARING OF SOUTH 41 DEGREES 11 MINUTES 09 SECONDS EAST ALONG A NORTHEAST LINE OF SAID OUTLOT "A", AND A CHORD

DISTANCE OF 141.41 FEET TO A POINT OF TANGENCY, THENCE SOUTH 18 DEGREES 36 MINUTES 50 SECONDS EAST ALONG A EAST LINE OF SAID OUTLOT "A", A DISTANCE OF 70.92 FEET TO A NORTH CORNER OF SAID OUTLOT "A", THENCE NORTH 67 DEGREES 20 MINUTES 06 SECONDS EAST ALONG A NORTHWEST LINE OF SAID OUTLOT "A", A DISTANCE OF 36.72 FEET TO A POINT OF CURVATURE, THENCE ALONG A CURVE IN A CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 124 DEGREES 20 MINUTES 45 SECONDS, A RADIUS OF 45.13 FEET, A ARC LENGTH OF 97.95 FEET, A CHORD BEARING OF SOUTH 50 DEGREES 29 MINUTES 31 SECONDS EAST ALONG A NORTHEAST LINE OF SAID OUTLOT "A", AND A CHORD DISTANCE OF 79.83 FEET TO A POINT, THENCE SOUTH 72 DEGREES 38 MINUTES 07 SECONDS WEST, A DISTANCE OF 345.92 FEET TO A POINT OF CURVATURE OF A NON TANGENT CURVE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 23 DEGREES 21 MINUTES 46 SECONDS, A RADIUS OF 432.00 FEET, A ARC LENGTH OF 176.15 FEET, A CHORD BEARING OF NORTH 29 DEGREES 02 MINUTES 47 SECONDS WEST, AND A CHORD DISTANCE OF 174.93 FEET TO A POINT OF REVERSE CURVATURE, THENCE ALONG A CURVE IN A CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 08 DEGREES 53 MINUTES 25 SECONDS, A RADIUS OF 343.00 FEET, A ARC LENGTH OF 53.22 FEET, A CHORD BEARING OF NORTH 36 DEGREES 16 MINUTES 57 SECONDS WEST, AND A CHORD DISTANCE OF 53.17 FEET TO A POINT, THENCE NORTH 60 DEGREES 10 MINUTES 03 SECONDS EAST, A DISTANCE OF 219.29 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA OF 75,248.54 SQUARE FEET OR 1.7275 ACRES, MORE OR LESS.

Monday, May 09, 2005

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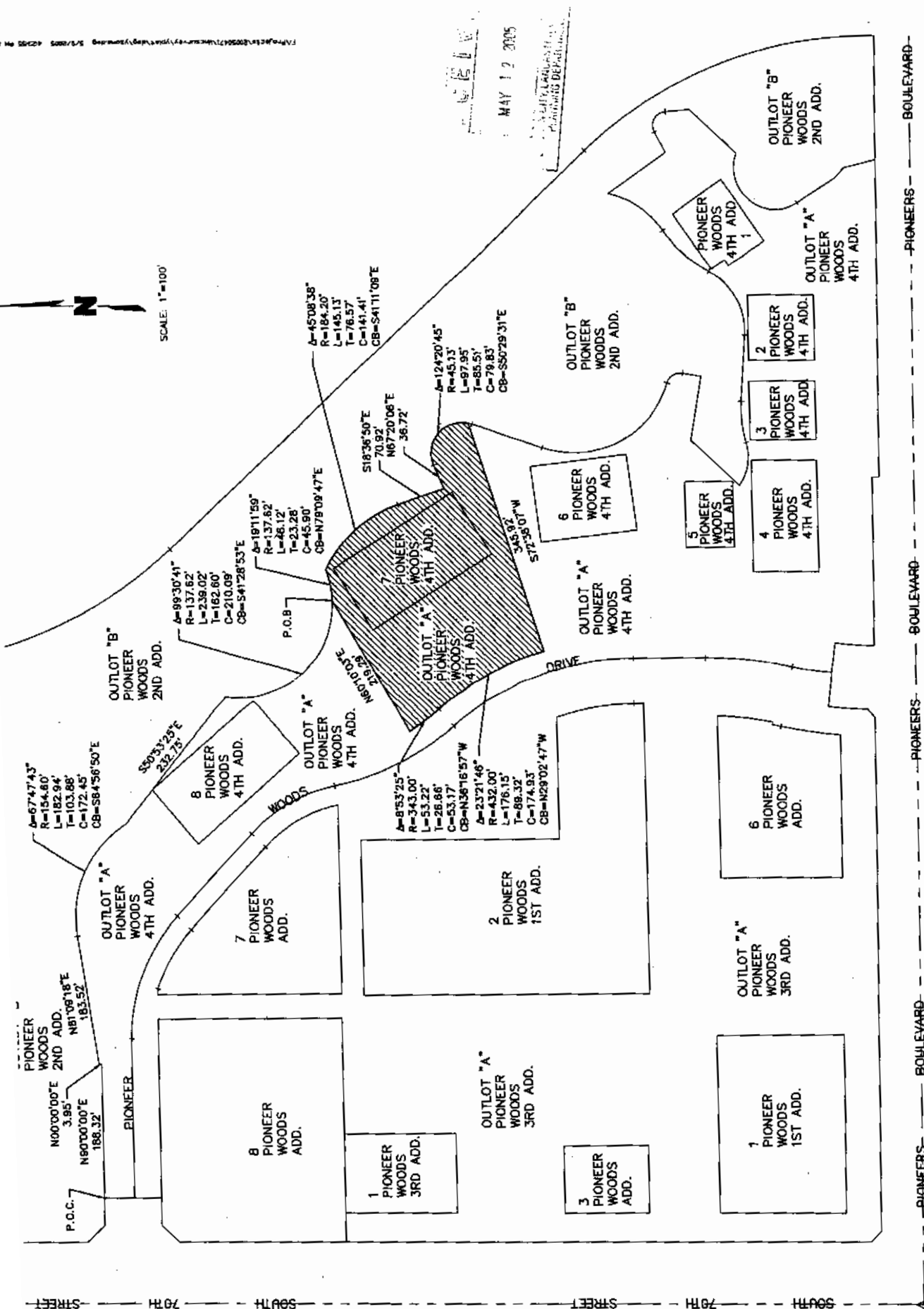
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CITY/LANCASTER
PLANNING DEPARTMENT

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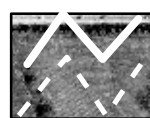
2002 aerial

Use Permit #130A S. 70th & Pioneers Blvd

Zoning:

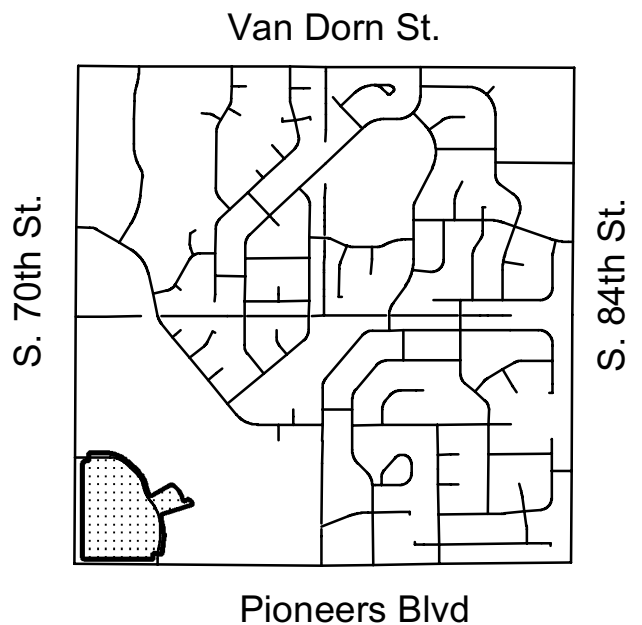
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I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile
Sec. 3 T9N R7E



Zoning Jurisdiction Lines

City Limit Jurisdiction



LEGAL DESCRIPTION

USE PERMIT

A LEGAL DESCRIPTION FOR A TRACT OF LAND COMPOSED OF LOTS 3, 6, 7 AND 8, PIONEER WOODS ADDITION, LOTS 1 AND 2, PIONEER WOODS 1ST ADDITION, LOT 1 AND OUTLOT "A", PIONEER WOODS 3RD ADDITION, LOT 7 AND A PORTION OF OUTLOT "A", PIONEER WOODS 4TH ADDITION, ALL LOCATED IN THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 9 NORTH, RANGE 7 EAST OF THE 7TH P.M., CITY OF LINCOLN, LANCASTER COUNTY, STATE OF NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF OUTLOT "A", PIONEER WOODS 3RD ADDITION, SAID A POINT BEING 60.00 FEET NORTH OF THE SOUTH LINE OF SAID SOUTHWEST QUARTER, AND 102.00 FEET EAST OF THE WEST LINE OF SAID SOUTHWEST QUARTER, SAID POINT BEING **THE TRUE POINT OF BEGINNING**, THENCE NORTHWEST ALONG A SOUTHWEST LINE OF SAID OUTLOT "A", SAID LINE BEING A NORTHEAST LINE OF PIONEERS BOULEVARD RIGHT-OF-WAY ON AN ASSUMED BEARING OF NORTH 44 DEGREES 40 MINUTES 43 SECONDS WEST, A DISTANCE OF 21.25 FEET TO A WEST CORNER OF SAID OUTLOT "A", THENCE NORTH 00 DEGREES 13 MINUTES 44 SECONDS EAST ALONG A WEST LINE OF SAID OUTLOT "A", AND A WEST LINE OF LOT 8, PIONEER WOODS ADDITION, SAID LINE BEING A EAST LINE OF SOUTH 70TH STREET RIGHT-OF-WAY, SAID LINE BEING 87.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 996.87 FEET TO THE NORTHWEST CORNER OF SAID LOT 8, THENCE NORTH 45 DEGREES 06 MINUTES 52 SECONDS EAST ALONG A NORTHWEST LINE OF SAID LOT 8, SAID LINE BEING A SOUTHEAST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 35.43 FEET TO A NORTH CORNER OF SAID LOT 8, THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST ALONG A NORTH LINE OF SAID LOT 8, SAID LINE BEING A SOUTH LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 38.00 FEET TO A WEST CORNER OF OUTLOT "A", PIONEER WOODS 4TH ADDITION, THENCE NORTH 00 DEGREES 13 MINUTES 44 SECONDS EAST ALONG A WEST LINE OF SAID OUTLOT "A", SAID LINE BEING A EAST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 82.00 FEET TO THE NORTHWEST CORNER OF SAID OUTLOT "A", THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST ALONG A NORTH LINE OF SAID OUTLOT "A", A DISTANCE OF 188.32 FEET TO A NORTH CORNER OF SAID OUTLOT "A", SAID POINT BEING A POINT OF CURVATURE, THENCE ALONG A CURVE IN A CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 21 DEGREES 19 MINUTES 17 SECONDS, A RADIUS OF 315.50 FEET, A ARC LENGTH OF 117.41 FEET, A CHORD BEARING OF SOUTH 79 DEGREES 20 MINUTES 21 SECONDS EAST, AND A CHORD DISTANCE OF 116.73 FEET TO A POINT OF TANGENCY, THENCE SOUTH 68 DEGREES 40 MINUTES 43 SECONDS EAST, A DISTANCE OF 25.32 FEET TO A POINT OF CURVATURE, THENCE ALONG A CURVE IN A CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 22 DEGREES 05 MINUTES 35 SECONDS, A RADIUS OF 282.00 FEET, A ARC LENGTH OF 108.74 FEET, A CHORD BEARING OF SOUTH 57 DEGREES 37 MINUTES 55 SECONDS EAST, AND A CHORD DISTANCE OF 108.07 FEET TO A POINT OF TANGENCY, THENCE SOUTH 46 DEGREES 35 MINUTES 08 SECONDS EAST, A DISTANCE OF 159.79 FEET TO A POINT OF CURVATURE, THENCE ALONG A CURVE IN A CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 35 DEGREES 50 MINUTES 01 SECONDS, A RADIUS OF 257.00 FEET, A ARC LENGTH OF 160.73 FEET, A CHORD BEARING OF SOUTH 28 DEGREES 40 MINUTES 08 SECONDS EAST, AND A CHORD DISTANCE OF 158.12 FEET TO A POINT OF REVERSE CURVATURE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 21 DEGREES 05 MINUTES 07 SECONDS, A RADIUS OF 343.00 FEET, A ARC LENGTH OF 126.23 FEET, A CHORD BEARING OF SOUTH 21 DEGREES 17 MINUTES 41 SECONDS

EAST, AND A CHORD DISTANCE OF 125.52 FEET TO A POINT, THENCE NORTH 60 DEGREES 10 MINUTES 03 SECONDS EAST, A DISTANCE OF 219.29 FEET TO A POINT OF INTERSECTION WITH A NORTH LINE OF SAID OUTLOT "A", SAID POINT BEING A POINT OF CURVATURE OF A NON TANGENT CURVE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 19 DEGREES 11 MINUTES 59 SECONDS, A RADIUS OF 137.62 FEET, A ARC LENGTH OF 46.12 FEET, A CHORD BEARING OF NORTH 79 DEGREES 09 MINUTES 47 SECONDS EAST ALONG A NORTH LINE OF SAID OUTLOT "A", AND A CHORD DISTANCE OF 45.90 FEET TO A NORTH CORNER OF SAID OUTLOT "A", SAID POINT BEING A POINT OF CURVATURE OF A NON TANGENT CURVE, THENCE ALONG A CURVE IN A CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 45 DEGREES 08 MINUTES 38 SECONDS, A RADIUS OF 184.20 FEET, A ARC LENGTH OF 145.13 FEET, A CHORD BEARING OF SOUTH 41 DEGREES 11 MINUTES 09 SECONDS EAST ALONG A EAST LINE OF SAID OUTLOT "A", AND A CHORD DISTANCE OF 141.41 FEET TO A POINT OF TANGENCY, THENCE SOUTH 18 DEGREES 36 MINUTES 50 SECONDS EAST ALONG A EAST LINE OF SAID OUTLOT "A", A DISTANCE OF 70.92 FEET TO A NORTH CORNER OF SAID OUTLOT "A", THENCE NORTH 67 DEGREES 20 MINUTES 06 SECONDS EAST ALONG A NORTH LINE OF SAID OUTLOT "A", A DISTANCE OF 36.72 FEET TO A POINT OF CURVATURE, THENCE ALONG A CURVE IN A CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 124 DEGREES 20 MINUTES 45 SECONDS, A RADIUS OF 45.13 FEET, A ARC LENGTH OF 97.95 FEET, A CHORD BEARING OF SOUTH 50 DEGREES 29 MINUTES 31 SECONDS EAST ALONG A NORTHEAST LINE OF SAID OUTLOT "A", AND A CHORD DISTANCE OF 79.83 FEET TO A POINT, THENCE SOUTH 72 DEGREES 38 MINUTES 07 SECONDS WEST, A DISTANCE OF 345.92 FEET TO A POINT OF CURVATURE OF A NON TANGENT CURVE, THENCE ALONG A CURVE IN A CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 17 DEGREES 21 MINUTES 54 SECONDS, A RADIUS OF 432.00 FEET, A ARC LENGTH OF 130.93 FEET, A CHORD BEARING OF SOUTH 08 DEGREES 40 MINUTES 57 SECONDS EAST, AND A CHORD DISTANCE OF 130.43 FEET TO A POINT OF TANGENCY, THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 76.17 FEET TO A POINT, THENCE SOUTH 89 DEGREES 35 MINUTES 10 SECONDS EAST, A DISTANCE OF 13.21 FEET TO A POINT, THENCE SOUTH 00 DEGREES 24 MINUTES 50 SECONDS WEST, A DISTANCE OF 31.98 FEET TO A POINT OF CURVATURE, THENCE ALONG A CURVE IN A CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 11 DEGREES 43 MINUTES 00 SECONDS, A RADIUS OF 645.00 FEET, A ARC LENGTH OF 131.90 FEET, A CHORD BEARING OF SOUTH 06 DEGREES 16 MINUTES 20 SECONDS WEST, AND A CHORD DISTANCE OF 131.67 FEET TO A POINT OF REVERSE CURVATURE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 05 INUTES 11 SECONDS, A RADIUS OF 555.00 FEET, A ARC LENGTH OF 51.69 FEET, A CHORD BEARING OF SOUTH 09 DEGREES 27 MINUTES 45 SECONDS WEST, AND A CHORD DISTANCE OF 51.67 FEET TO A SOUTH CORNER OF SAID OUTLOT "A", THENCE NORTH 83 DEGREES 23 MINUTES 50 SECONDS WEST ALONG A SOUTH LINE OF SAID OUTLOT "A", AND A SOUTH LINE OF OUTLOT "A", PIONEER WOODS 3RD ADDITION, SAID LINE BEING A NORTH LINE OF PIONEERS BOULEVARD RIGHT-OF-WAY, A DISTANCE OF 95.83 FEET TO A SOUTH CORNER OF SAID OUTLOT "A", SAID POINT BEING A POINT OF CURVATURE OF A NON TANGENT CURVE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 04 DEGREES 58 MINUTES 15 SECONDS, A RADIUS OF 651.00 FEET, A ARC LENGTH OF 56.48 FEET, A CHORD BEARING OF SOUTH 04 DEGREES 07 MINUTES 03 SECONDS WEST ALONG A EAST LINE OF SAID OUTLOT "A", SAID LINE BEING A WEST LINE OF SAID RIGHT-OF-WAY, AND A CHORD DISTANCE OF 56.46 FEET TO A EAST CORNER OF SAID OUTLOT "A", THENCE SOUTH 45 DEGREES 48 MINUTES 11 SECONDS WEST ALONG A SOUTHEAST LINE OF SAID OUTLOT "A", SAID LINE BEING A NORTHWEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 14.24 FEET TO A SOUTHEAST CORNER OF SAID OUTLOT "A", THENCE NORTH 89 DEGREES 35 MINUTES 10 SECONDS WEST ALONG A SOUTH LINE OF SAID OUTLOT "A", SAID LINE BEING A NORTH LINE OF SAID

RIGHT-OF-WAY, SAID LINE BEING 60.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 724.64 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA OF 888,460.50 SQUARE FEET OR 20.3962 ACRES, MORE OR LESS.

TUESDAY, MAY 10, 2005

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OLSSON ASSOCIATES
ENGINEERS • PLANNERS • SCIENTISTS • SURVEYORS

May 12, 2005

Mr. Marvin S. Krout, Director
Lincoln Lancaster Planning Department
County-City Building
555 South 10th Street, Suite 213
Lincoln, NE 68508

RECEIVED

MAY 12 2005

Re: Pioneer Woods
Amendment to Use Permit # 130 and Change Of Zone
OA Project No. 2005-0471

CITY/LANCASTER
PLANNING DEPARTMENT

Dear Mr. Krout,

On behalf of Pioneer Woods LLC, Olsson Associates is requesting an "Amendment to the Use Permit" and a "Change of Zone" to add 1.72 acres to Pioneer Woods Use Permit #130 and change the zoning of that property to B-2. The parcel being added is currently located in Pioneer Woods 1st Addition Use Permit #144 and is Zoned O-3. For your reference, the subject lot is labeled Lot 7 on the site plan

We are requesting this Amendment and Change of Zone to locate an 85 room, 4 story, all-suites hotel on this site. The Hotel will replace 24,000 SF of Office Space that was originally approved on Use Permit #144. The PM Peak Hour Trips were compared between the two uses, using ITE Trip Generation numbers. The Hotel will generate slightly less peak PM trips than the office space it is replacing. A trip generation table is included with this submittal.

The Site Plan is showing shared parking between the Hotel and adjacent Office Building. These two buildings will be utilizing non-concurrent parking, since the Hotels main stall use is at night and the Office Buildings main stall use is during the day.

We are formally requesting 2 waivers. We are requesting a waiver to reduce of the required setback for the rear yard of Lot 7, from 50' to 30'. Lot 7 backs to a large heavily wooded drainage way. We are also requesting a waiver to increase the height restriction from 40' to 45'. The existing height restrictions for the surrounding buildings in the O-3 office area are 45' and this building will match that.

Enclosed please find the following:

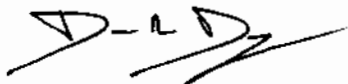
1. Site Plan, Sheet 1; 21 copies
2. Site Plan Notes, Sheet 2; 21 Copies
3. City of Lincoln Zoning Application; "Use Permit; Amendment"
4. Change of Zone Exhibit
5. Filing fee for "Use Permit & Change of Zone"; \$1,480.00

Mr. Marvin S. Krout
May 12, 2005
Page 2

6. Certificate of Ownership
7. 8 1/2" x 11" Reduced Drawings of the Site Plans
8. ITE Trip Generation Table 1 Hotel VS General Office Comparison

Please give me a call if you have any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read 'D-R Day', with a stylized flourish at the end.

Don R. Day, PE

cc Don Linscott
Jon Miller

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